

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicants: William X. Tracey, *et al.*

Examiner: Thomas A. Dixon

Serial No: 09/692,402

Art Unit: 3629

Filing Date: October 19, 2000

Title: METHOD AND SYSTEM FOR PRESENTING ITEM INFORMATION USING A
PORTABLE DATA TERMINAL

Mail Stop AF
Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER TO OVERCOME A DOUBLE
PATENTING REJECTION (37 CFR §1.321(c))

Dear Sir:

I, Himanshu S. Amin, represent that I am an attorney of record for application Serial No. 09/692,402 filed October 19, 2000, entitled METHOD AND SYSTEM FOR PRESENTING ITEM INFORMATION USING A PORTABLE DATA TERMINAL. The terminal part of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of United States Patent No. 5,979,757, as presently shortened by any terminal disclaimer, is hereby disclaimed, except as provided below, and it is hereby agreed that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the

#10 Terminal
disclaimer
467X-1CA
Heuman
6-23-03
(NE)

09/692,402

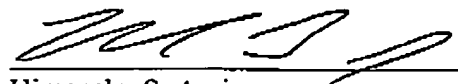
467X-1CA

legal title to said patent shall be the same as the legal title to United States Patent No. 5,979,757, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim any terminal part of any patent granted on the above-identified patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of United States Patent No. 5,979,757, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by a terminal disclaimer, except for the separation of legal title stated above.

Authorization is hereby granted to charge Deposit Account No. 50-1063 the fee (\$110.00) associated with this Terminal Disclaimer. In the event any additional fees are due in connection with the filing of this document, the Commissioner is authorized to charge those fees to the same Deposit Account No.

Respectfully submitted,
AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone: (216) 696-8730
Facsimile: (216) 696-8731